

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

STRAGENT, LLC,

Plaintiff,

V.

PIONEER ELECTRONICS (USA), Inc.,

Defendant.

Civil Action No. 6:08-cv-493

JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement in which Plaintiff Stragent, LLC (“Stragent”) complains against Pioneer Electronics (USA), Inc. (“Pioneer”) as follows:

PARTIES

1. Stragent is a Texas limited liability company with its principal place of business at 211 W. Tyler, Suite C-2, Longview, Texas 75601.
2. Upon information and belief, Defendant Pioneer Electronics (USA), Inc. is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business located at 2265 E. 220th Street, Long Beach, CA 90810. Pioneer Electronics (USA), Inc. may be served with process by serving its registered agent Gregory R. Pierson at 2265 E. 220th Street, Long Beach, CA 90810.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On information and belief, Defendant has transacted business in this district and has committed and/or induced acts of patent infringement in this district.

5. Upon information and belief, Defendant is subject to this Court's specific and general personal jurisdiction pursuant to due process and/or the Texas Long Arm Statute, due at least to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Texas and in this Judicial District.

PATENT INFRINGEMENT

6. Stragent is the owner by assignment of United States Patent No. 7,424,431 ("the '431 patent") entitled "System, Method and Computer Program Product for Adding Voice Activation and Voice Control to a Media Player." The '431 patent issued on September 9, 2008. A true and correct copy of '431 patent is attached as Exhibit A.

7. Upon information and belief, Pioneer has been and now is directly infringing, and/or inducing infringement by others, and/or contributing to the infringement by others of the '431 patent in the State of Texas, in this judicial district, and elsewhere in the United States. Pioneer's infringements include, among other things, making, using, offering for sale, and/or selling audio

products, including without limitation the Pioneer AVIC-F900BT, 700BT, and F7010BT. Pioneer is thus liable for infringement of the '431 patent pursuant to 35 U.S.C. § 271.

8. On information and belief, to the extent any marking was required by 35 U.S.C. § 287, such requirements have been met.

9. As a result of Defendant's infringement of the '431 patent, Stragent has suffered monetary damages that are compensable under 35 U.S.C. § 284 adequate to compensate it for the infringement, but in any event no less than a reasonable royalty.

PRAYER FOR RELIEF

WHEREFORE, Stragent requests that this Court enter:

A. A judgment in favor of Stragent that Defendant has directly, and/or by way of inducing infringement by others, and/or by contributing to the infringement by others, infringed the '431 patent;

B. A judgment and order requiring Defendant to pay Stragent its damages, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement of the '431 patent as provided under 35 U.S.C. § 284;

C. Any and all other relief to which the Court may deem Stragent entitled.

DEMAND FOR JURY TRIAL

Stragent, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

Dated: December 19, 2008

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Eric M. Albritton", written over a horizontal line.

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